

103^D CONGRESS
2^D SESSION

S. 2089

To authorize the establishment of the Steamtown National Historic Site,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9 (legislative day, MAY 2), 1994

Mr. MITCHELL for Mr. WOFFORD (for himself and Mr. SPECTER) introduced
the following bill; which was read twice and referred to the Committee
on Energy and Natural Resources

A BILL

To authorize the establishment of the Steamtown National
Historic Site, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Steamtown National
5 Historic Site Act of 1994”.

6 **SEC. 2. DEFINITIONS.**

7 As used in this Act:

8 (1) **ADVISORY COMMITTEE.**—The term “Advi-
9 sory Committee” means the Steamtown National

1 Historic Site Advisory Committee established by the
2 Secretary under section 5.

3 (2) HAZARDOUS SUBSTANCE.—The term “haz-
4 arduous substance” has the meaning given such term
5 in section 101(14) of the Comprehensive Environ-
6 mental Response, Compensation, and Liability Act
7 of 1980 (42 U.S.C. 9601(14)).

8 (3) HISTORIC SITE.—The term “historic site”
9 means the Steamtown National Historic Site estab-
10 lished under section 3.

11 (4) NATIONAL PARK SERVICE.—The term “Na-
12 tional Park Service” means the National Park Serv-
13 ice of the Department of the Interior.

14 (5) REMEDIAL ACTION.—The term “remedial
15 action” has the meaning given such term in section
16 101(24) of the Comprehensive Environmental Re-
17 sponse, Compensation, and Liability Act of 1980 (42
18 U.S.C. 9601(24)).

19 (6) REMOVAL.—The term “removal” has the
20 meaning given such term in section 101(23) of such
21 Act (42 U.S.C. 9601(23)).

22 (7) SECRETARY.—The term “Secretary” means
23 the Secretary of the Interior.

1 **SEC. 3. ESTABLISHMENT OF STEAMTOWN NATIONAL HIS-**
2 **TORIC SITE.**

3 (a) IN GENERAL.—

4 (1) ESTABLISHMENT.—In order to preserve and
5 interpret certain elements of railroading, especially
6 steam-operated railroads that were in operation dur-
7 ing the period of 1850 to 1950, there is hereby es-
8 tablished the Steamtown National Historic Site.

9 (2) PURPOSES.—The purposes of the historic
10 site shall include providing for the interpretation
11 of—

12 (A) the evolution of railroads; and

13 (B) the impact of railroads on the develop-
14 ment of the United States,

15 including technological, economic, social, and politi-
16 cal effects and the relationship of railroads to the in-
17 dustrialization of the United States.

18 (b) DESCRIPTION OF SITE.—The historic site shall
19 consist of the lands and interests in lands within the area
20 generally depicted on the map entitled “Boundary Map,
21 Steamtown National Historic Site”, numbered STTO-
22 80,000 and dated September 1986. The map shall be on
23 file and available for public inspection in the offices of the
24 National Park Service. Except by act of Congress, no revi-
25 sions may be made in the boundary of the historic site.

1 (c) REPEAL OF SUPERSEDED LAW.—The Steamtown
2 National Historical Site Act of 1986 (the twelfth proviso
3 in the paragraph relating to the operation of the national
4 park system (including transfer of funds) under the head-
5 ing “NATIONAL PARK SERVICE” in title I of the Depart-
6 ment of the Interior and Related Agencies Appropriations
7 Act, 1987, which was enacted in identical forms in section
8 101(h) of Public Law 99–500 and section 101(h) of Public
9 Law 99–591; 100 Stat. 1783–248 and 100 Stat. 3341–
10 248), is repealed.

11 **SEC. 4. ADMINISTRATION OF STEAMTOWN NATIONAL HIS-**
12 **TORIC SITE.**

13 (a) IN GENERAL.—The Secretary of the Interior shall
14 administer the historic site in accordance with this Act
15 and any other provision of law generally applicable to
16 units of the national park system, including the Act enti-
17 tled “An Act to establish a National Park Service, and
18 for other purposes”, approved August 25, 1916 (39 Stat.
19 535; 16 U.S.C. 1, 2, 3, and 4) and the Act entitled “An
20 Act to provide for the preservation of historic American
21 sites, buildings, objects, and antiquities of national signifi-
22 cance, and for other purposes”, approved August 21, 1935
23 (16 U.S.C. 461 et seq.).

24 (b) COMPREHENSIVE GENERAL MANAGEMENT
25 PLAN.—Not later than September 30, 1995, the Secretary

1 shall prepare and submit to the Committee on Energy and
2 Natural Resources of the Senate and the Committee on
3 Interior and Insular Affairs of the House of Representa-
4 tives a new comprehensive general management plan for
5 the historic site. The plan shall be consistent with this Act,
6 section 12 of Public Law 91-383 (16 U.S.C. 1a-7), and
7 any other applicable provision of law.

8 **SEC. 5. ACQUISITION OF LAND.**

9 (a) IN GENERAL.—The Secretary may acquire lands
10 or interests in land within the boundaries of the historic
11 site only by—

12 (1) donation; or

13 (2) purchase with donated funds.

14 (b) PROHIBITION ON ACQUISITION OF CONTAMI-
15 NATED LANDS.—

16 (1) IN GENERAL.—The Secretary may not ac-
17 quire any land or interest in land to serve the pur-
18 poses of the historic site unless such lands are not
19 contaminated with a hazardous substance for which
20 a removal or remedial action at the expense of the
21 United States is required under the Comprehensive
22 Environmental Response, Compensation, and Liabil-
23 ity Act of 1980 (42 U.S.C. 9601 et seq.).

24 (2) REIMBURSEMENT.—

1 (A) IN GENERAL.—Before the Secretary
2 may accept title to any lands to further the
3 purposes of the historic site, the Secretary shall
4 seek reimbursement of any funds expended by
5 the National Park Service, prior to the date of
6 the enactment of this Act, on a removal or re-
7 medial action with respect to any contamination
8 of lands within the boundaries of the historic
9 site under applicable provisions of the Com-
10 prehensive Environmental Response, Compensa-
11 tion, and Liability Act of 1980 (42 U.S.C. 9601
12 et seq.).

13 (B) CREDITING OF REIMBURSEMENT.—
14 Any amount received as reimbursement under
15 subparagraph (A) shall be credited to mis-
16 cellaneous receipts in the Treasury.

17 (C) TREATMENT OF CERTAIN FUNDS EX-
18 PENDED FOR A REMOVAL OR REMEDIAL AC-
19 TION.—After the full amount of a reimburse-
20 ment made pursuant to subparagraph (A) is
21 credited pursuant to subparagraph (B), the
22 amount expended by the National Park Service
23 with respect to which the reimbursement was
24 made shall not be treated as amounts expended

1 for development with respect to the limitation
2 under section 8(b).

3 **SEC. 6. PARK SERVICE ACTIVITIES.**

4 (a) IN GENERAL.—The Secretary shall take such ac-
5 tion as is necessary and appropriate to—

6 (1) administer the historic site;

7 (2) interpret, for the public, the significance of
8 the resources of the site and the history of the site;
9 and

10 (3) provide essential services for the public at
11 the historic site.

12 (b) PRESERVATION OF COLLECTION OF RAILROAD
13 EQUIPMENT.—

14 (1) EXISTING COLLECTION.—Subject to para-
15 graph (2), the Secretary shall preserve the collection
16 of railroad equipment, including locomotives and
17 rolling stock, that is present at the historic site as
18 of the date of enactment of this Act. The Secretary
19 may also preserve such equipment and essential ma-
20 chinery as are necessary for the maintenance of the
21 locomotives and rolling stock.

22 (2) ACQUISITION OF ADDITIONAL EQUIP-
23 MENT.—The Secretary may acquire by exchange or
24 purchase, appropriate examples of locomotives and

1 rolling stock to enhance the collection of railroad
2 equipment at the historic site if—

3 (A) the Secretary takes such action as is
4 necessary to ensure that the total number of lo-
5 comotives and rolling stock in the collection of
6 railroad equipment does not increase as a result
7 of the exchange or purchase; and

8 (B) the exchange or purchase is carried
9 out in a manner consistent with the general
10 management plan for the historic site.

11 (c) COST-SHARING.—The Secretary shall, to the ex-
12 tent practicable, seek donations and assistance from vol-
13 unteers and carry out other cost-sharing measures to re-
14 store the locomotives and rolling stock in the collection
15 of railroad equipment.

16 (d) PRESERVATION OF ARTIFACT COLLECTION AND
17 ARCHIVAL MATERIALS.—The Secretary shall take such
18 action as is necessary to preserve the artifact collection
19 and archival materials located at the historic site.

20 (e) PROHIBITION.—No Federal funds may be ex-
21 pended to provide access between the historic site and any
22 structure that is privately owned and operated for profit.

23 (f) EXCURSIONS.—To the extent that providing regu-
24 lar excursions with appropriate interpretation under this
25 subsection furthers public understanding of the matters

1 described in section 3(a)(2), the Secretary may provide
2 regular excursions with appropriate interpretation between
3 Scranton, Pennsylvania, and Moscow, Pennsylvania. To
4 carry out the excursions, the Secretary may provide essen-
5 tial visitor services at Moscow, Pennsylvania.

6 (g) USE OF FUNDS FOR THE RESTORATION OF
7 TRACKS, BRIDGES, OR TUNNELS.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), the Secretary may not expend funds
10 made available to the National Park Service for the
11 restoration or maintenance of tracks, bridges, or
12 tunnels located outside the historic site.

13 (2) EXCEPTION.—

14 (A) RESTORATION PURSUANT TO COOPER-
15 ATIVE AGREEMENT WITH OWNER.—If the Sec-
16 retary and the owner of the tracks and bridges
17 between the historic site and Moscow, Penn-
18 sylvania, enter into a cooperative agreement de-
19 scribed in subparagraph (B), the Secretary may
20 expend funds described in subparagraph (C) for
21 restoring and maintaining such tracks and
22 bridges.

23 (B) COOPERATIVE AGREEMENT DE-
24 SCRIBED.—A cooperative agreement referred to

1 in subparagraph (A) is a cooperative agreement
2 that—

3 (i) provides for the Secretary to re-
4 store and maintain such tracks and
5 bridges; and

6 (ii) permits the National Park Service
7 to use such tracks and bridges for excur-
8 sions authorized under subsection (f).

9 (C) FUNDS DESCRIBED.—The funds re-
10 ferred to in subparagraph (A) are funds that—

11 (i) were appropriated to the Secretary
12 before November 15, 1991; and

13 (ii) remain available for obligation.

14 (3) TRACK USAGE FEES.—If the Secretary en-
15 ters into an agreement to use tracks and bridges
16 pursuant to paragraph (2), the Secretary may pay
17 customary and appropriate track usage fees.

18 (h) EXCURSION FEES.—Excursion fees charged for
19 any rail excursion carried out by the Secretary pursuant
20 to this section shall be established at a level that ensures
21 that, at a minimum, 75 percent of the costs of mainte-
22 nance, personnel, and equipment for the excursion shall
23 be covered by amounts collected as user fees.

24 (i) BRIDGE 60.—The Secretary may assist the owner
25 of Bridge 60 and Bridge 60 Wye (as defined and deter-

1 mined by the Secretary) with track and switch rehabilita-
2 tion to facilitate activities associated with the historic site.

3 **SEC. 7. ADVISORY COMMITTEE.**

4 (a) ESTABLISHMENT.—There is established the
5 Steamtown National Historic Site Advisory Committee.

6 (b) PURPOSES.—The purposes of the Advisory Com-
7 mittee are as follows:

8 (1) To provide the Secretary with a readily
9 available source of professional expertise in railroad
10 management and history.

11 (2) To advise the Secretary in the development
12 and operation of the historic site.

13 (c) MEMBERSHIP.—The Advisory Committee shall be
14 composed of 11 members who shall be appointed by the
15 Secretary, as follows:

16 (1) Two members shall be individuals with rec-
17 ognized expertise in the operation of historic rail-
18 ways.

19 (2) Two members shall be individuals with rec-
20 ognized expertise in the operation of commercial
21 railways.

22 (3) Two members shall be historians with rec-
23 ognized expertise in the history of technology.

24 (4) Two members shall be historians with rec-
25 ognized expertise in social history.

1 (5) Three members shall be representatives of
2 the general public.

3 (d) TERMS.—Each member shall serve for a term of
4 3 years. A member of the Advisory Committee may con-
5 tinue to serve as a member after the expiration of the
6 member's term until a successor is appointed.

7 (e) CHAIRPERSON.—The Advisory Committee shall
8 select a Chairperson from among its members.

9 (f) DUTIES OF THE SECRETARY.—The Secretary, or
10 a designee of the Secretary, shall from time to time, but
11 at least semiannually, meet and consult with the Advisory
12 Committee on matters relating to the management and de-
13 velopment of the historic site.

14 (g) INITIAL MEETING.—Not later than 30 days after
15 the date on which all members of the Advisory Committee
16 have been appointed, the Chairperson shall convene the
17 Advisory Committee.

18 (h) MEETINGS.—

19 (1) IN GENERAL.—The Advisory Committee
20 shall meet at the call of the Chairperson.

21 (2) FREQUENCY OF MEETINGS.—The Advisory
22 Committee shall meet at least 3 times during each
23 year.

24 (3) QUORUM.—A majority of the members of
25 the Advisory Committee shall constitute a quorum.

1 (i) COMPENSATION.—Members of the Advisory Com-
2 mittee shall serve without compensation, except the Sec-
3 retary may, on receipt of a voucher approved by the Chair-
4 person, pay expenses reasonably incurred in the perform-
5 ance of duties of the Committee.

6 (j) TERMINATION OF ADVISORY COMMITTEE.—The
7 Advisory Committee shall terminate 10 years after the
8 date of enactment of this Act.

9 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—Subject to the limitations under
11 subsections (b) and (c), there are authorized to be appro-
12 priated to the Department of the Interior such sums as
13 are necessary to carry out this Act.

14 (b) LIMITATION OF EXPENDITURES FOR DEVELOP-
15 MENT.—The aggregate amount of funds expended by the
16 Department of the Interior after September 30, 1986, for
17 the development of the historic site may not exceed
18 \$58,000,000.

19 (c) LIMITATION OF EXPENDITURES OF FUNDS.—No
20 funds made available to the Department of the Interior
21 from Federal sources may be expended with respect to the
22 historic site for a purpose other than a purpose specified
23 in section 6 and in section 7(h).

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